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Date: June 11, 2003 Planning Commission Meeting

Item No.

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearings

Report Prepared by: Troy Fujimoto

Public Hearing: Yes: ☒ No: ☐

Notices Mailed On: 5-30-03 Published On: 5-29-03 Posted On: 5-30-03

TITLE: USE PERMIT NO. P-UP2003-18 APPROVAL

Proposal: A request to operate a grocery store (Manila Oriental Foods) in an existing 1,380 square foot retail space in Calaveras Plaza.

Location: 179 West Calaveras Boulevard

APN: 022-25-048

RECOMMENDATION: Approval with Conditions

Applicant: Lucita U. Finuliar, 3444 Valley Vista Drive, San Jose, CA 95148

Property Owner: Lisa Lo, 1105 Tanglewood Way, San Mateo, CA 94403

Previous Action(s): "S" Zone Amendment Approvals & Use Permits

General Plan Designation: General Commercial

Present Zoning: General Commercial with an "S" Zone Overlay (C2-S)

Existing Land Use: Multi-tenant retail building

Agenda Sent To: Applicant & Owner (as noted above)

Attachments: Plans
Planning Commission Resolution No. 168
Letter from applicant, dated April 14, 2003

PJ2333

BACKGROUND

The Calaveras Plaza development was granted "S" Zone approval by the Planning Commission in 1976. Since then, amendments to the approval have been obtained, including modifications to architectural elevations, sign proposals, parking lot re-striping and gates. In 1995, the Planning Commission approved a parking lot re-striping that resulted in 431 spaces, however, a more recent re-

striping has reduced the parking supply to 416 spaces. Numerous use permits have also been approved for various projects within the plaza.

Site Description

The Calaveras Plaza is a neighborhood shopping center with two relatively large tenants (Save Mart and Kinko's) along with several smaller retail tenants, restaurants and two freestanding buildings (Burger King and Cal-Fed Bank). The 7.63-acre site contains approximately 75,000 square feet of retail space and is situated on four parcels. The site is located north of West Calaveras Boulevard and west of Butler Street. To the north and west of the shopping center are single-family residential uses. To the south is the Serra Center and other retail uses.

In the past there have been noise, odor and garbage problems associated with various restaurants (Mr. Chau's) in the shopping center. Past problems included improper food disposal, improper storage of garbage, odor problems and noise from garbage pickup and truck deliveries. At the time of the violations, steps were taken to rectify the problem including requiring the installation of an "Odorestor" device to control odors and construction of a new fence to help suppress noise.

THE APPLICATION

The application is submitted pursuant to Title IX, Chapter 10, Section 19.03-17 (General Commercial, Conditional Uses - food stores, such as supermarkets, convenience stores, etc.) and Section 57.00 (use permits) of the zoning ordinance. The applicant is requesting approval to operate a 1,380 square foot Asian market. The applicant's proposed hours of operation are from 8:30AM to 8:00PM daily.

PROJECT DESCRIPTION

Site Layout and Access: The existing building is located on the northeastern portion of the property. The building is in a "C" shape with parking mainly to the north and south. There are also two freestanding buildings, one at the corner of Butler Street and Calaveras Boulevard and one at the southwest corner of the property. Solid waste handling and deliveries occur at the rear of the building (on the north end of the property). Access to the site is located off of Calaveras Boulevard, Butler Street and from the shopping center to the west.



View of tenant space looking north

Operations: The applicant proposes to operate an Asian food market that will stock fresh vegetables, fruits, frozen seafood, various dry goods, and on-site prepared and pre-packaged foods. Food preparation will occur at the back of the tenant space. No seats are proposed as part of this application.



Parking: When the retail building was originally built, parking was provided at a ratio of 1 space per 200 square feet. Because the applicant is proposing a retail use, which will have the same parking demand of 1 space per 200 square feet, and will not be expanding the retail space, it is not anticipated to impact parking at the center.

ISSUES

USE PERMIT FINDINGS

Any approval of a Use Permit or Use Permit Amendment requires that the Planning Commission make the following findings:

1. The proposed use is consistent with the Milpitas Zoning Ordinance.
2. The proposed use is consistent with the Milpitas General Plan.
3. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.

The following sections explain how these findings can be made for the proposed project, as conditioned.

Conformance with the General Plan

The proposed project complies with the City's General Plan in terms of land use. The proposed use does not conflict with any General Plan Principles and Policies, and is consistent with Implementing Policy 2.a-I-3, which encourages economic pursuits which will strengthen and promote development through stability and balance. It is also consistent with Policy 2.a-I-6, which endeavors to maintain a balanced economic base that can resist downturns in any one economic sector.

Conformance with the Zoning Ordinance

The proposed project is located in the General Commercial Zoning District (C-2). Part of this district's purpose is to "include those commercial uses in which shopping may be conducted by people walking to several stores as in a center and may include uses customarily of a single-purpose character served from an immediately parked automobile." The project, with recommended conditions of approval, complies with the City's zoning ordinance for the General Commercial district, because it is a retail tenant in a multi-tenant center.

The project is located within the Midtown Specific Plan area, however, because this will be located in an existing building and does not trigger any Midtown upgrades (triggers include-a new building, 50% more parking required for use, or increase of gross floor area by 10% or over 500 square feet), the proposed project is not subject to the Midtown Design Guidelines and Standards.

Solid Waste

The previous tenant at this location was a beauty salon. Because the new use (market) is expected to generate larger amounts of garbage than a beauty salon and because, currently there are no garbage enclosures at the rear of the building, *staff recommends* that the applicant provide a garbage enclosure to accommodate their bins associated with their business. *Staff also recommends* that the applicant install an "odorestor" on their garbage bin to minimize future odor concerns. This will be an effective tool for odors since the applicant could potentially have rotting raw foods and seafood in their garbage bin and residential uses are located at the rear of the center.



It should be noted that there are other projects currently in the planning process that will be required to construct garbage enclosures at the site. Thus, the goal is to have all applicants of the center that impact garbage, to coordinate to provide new garbage enclosures.

Neighborhood/Community Impact

This proposed market is expected to have a positive community impact by providing a unique service to the City of Milpitas. The market will attract residents to the shopping center, which will support other retail and service establishments in the center. Based on this, staff concludes that this proposal will not have a negative community impact.

RECOMMENDATION

Close the Public Hearing. Approve the Use Permit No. P-UP2003-18 based on the Findings and Special Conditions of Approval listed below:

FINDINGS

1. The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the State CEQA Guidelines. ("Existing Facilities", Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances).
2. The proposed market is consistent with the City of Milpitas Zoning Ordinance in terms of it being a permitted use in the General Commercial zoning district and serves automobile users.
3. The proposed market is consistent with the City of Milpitas General Plan in terms of land use and because the market is compatible with neighboring retail businesses and promotes diversification of the local economy.
4. As conditioned, the proposed market use will not be detrimental or injurious to the public health, safety, and general welfare to adjacent future tenants or the surrounding community because the proposed market will not produce negative effects on the community and will occupy vacant space in the retail building.
5. The sale of food products is consistent with the intent of the General Commercial (C-2) district, which permits these uses with a Use Permit.

SPECIAL CONDITIONS

1. This Use Permit No. P-UP2003-18 approval is for a new 1,380 square foot Asian market as shown on approved plans dated June 11, 2003, except as may be otherwise modified by these conditions of approval. Minor changes, as per Sec. 42 of the Milpitas Zoning Ordinance, to approved plans may be approved by the Planning Division staff. (P)
2. This use shall be conducted in compliance with all appropriate local, state and federal laws and regulations. (P)
3. The applicant shall comply with Planning Commission Resolution No. 168, a resolution of standard conditions for commercial development. (#9-P)
4. Any new roof top equipment shall be screened from all views. (P)



5. Prior to building permit issuance, the applicant shall submit tenant improvement plans that incorporate a scrubber or carbon filter, or similar equipment, on the roof or vent to control odors. The equipment shall be screened from view to the approval of the Planning Division and reflected on the tenant improvement plans. (P)
6. The business owner shall hold training sessions to instruct their employees on the proper procedures in the handling and disposal of food items; the general maintenance and use of the compactor and any other procedures that would assist the business in complying with all State and local health and sanitation standards (refer to the County of Santa Clara Department of Environmental Health at (408) 729-5155 for their guidelines). (P)
7. The business owner shall post signs (in English, Vietnamese, Chinese, Filipino and Spanish) inside the premises for all employees, which identify procedures for the food delivery and disposing of garbage prior to the issuance of a Certificate of Occupancy. (P)
8. The preparation and storage of food shall not be permitted outside of the establishment in perpetuity. (P)
9. Washing of containers, equipment, and floor mats shall be conducted in the kitchen area so that wash water may drain into the sanitary sewer in perpetuity. (P)
10. Prior to issuance of a certificate of occupancy, the business owner shall submit a report detailing a program assigning restaurant staff perpetual responsibility for complying with the following guidelines (P)
 - a) Keep garbage dumpsters clean inside and out; replace dirty or leaking dumpsters with new, clean ones.
 - b) Double or triple bag waste to prevent leaking.
 - c) Place, do not drop or throw, waste-filled bags, to prevent leaking.
 - d) Keep the ground under and around the garbage dumpsters swept.
 - e) Sprinkle the ground lightly after sweeping with a mixture of water and a little bleach.
 - f) It is expected that Best Management Practices for solid waste handling will advance over time, thus it is the expectation that the applicant will modify their practices in accordance with future standards.
11. Prior to certificate of occupancy, proof of a garbage enclosure for use by this applicant shall be provided to the City. (P)
12. Prior to certificate of occupancy, an "Odorestor" unit shall be installed on the garbage bin and maintained in good working order. "Odorestor" units may be ordered through BFI. Please contact Cynthia Jackson, BFI Customer Service Supervisor, at (408) 432-1234 for more information. (P)
13. If at the time of application for permit there is a project job account balance due to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)
14. If at the time of application for a certificate of occupancy there is a project job account balance due to the City for recovery of review fees, a certificate of occupancy shall not be issued until the balance is paid in full. (P)
15. Prior to occupancy permit issuance, applicant or the shopping center owner shall construct a trash enclosure or show proof of the use of a trash enclosure or compactor. The proposed enclosures



shall be designed per the Development Guidelines for Solid Waste Services. City review/approval is required prior to construction of the enclosures. (E)

16. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval. (E)
17. Prior to occupancy permit issuance, the applicant shall submit evidence to the City that the following minimum refuse and recycling services have been subscribed with BFI for commercial businesses: (E)
 - a) Maintain an adequate level of service for trash collection. Subscribe to 1 - 4cyd, 3x/wk for garbage services.
 - b) Maintain recycling services including separate services for beverage containers. Subscribe to 1-4cyd, 2x/wk for recycling services.
 - c) If applicant is frying/cooking foods, the applicant shall maintain a tallow account and keep the tallow bins clean. Provide a written statement to City's solid waste group defining "cooked foods to go."

After the applicant has started its business, the solid waste service shall be evaluated by a BFI commercial representative to determine the adequacy of the service level. If it is found to be inadequate, the applicant shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234.

18. The developer shall submit a Sewer Needs Questionnaire and/or Industrial Waste Questionnaire with the building permit application and pay the related fees prior to building permit issuance by the Building Division. Contact the Land Development Section at (408) 586-3329 to obtain the form(s). (E)

(P) = Planning Division

(E) = Engineering Division

NOTES TO THE APPLICANT

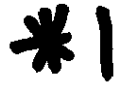
The following notes pertain to administration of the City codes and ordinances that are not part of the zoning ordinance regulations. The applicant shall not consider these notes as approval from any Department. Additional requirements may be made prior to permit issuance. These notes are provided to assist in the permit process if approval is granted.

PLANNING DIVISION [For further information regarding the following notes please contact Troy Fujimoto at (408) 586-3287]:

1. All plans submitted for Building Permits must provide a list of the project's Conditions of Approval.

BUILDING DIVISION [For further information regarding the following notes please contact Veronica Valenti at (408) 586-3241]:

1. It is mandated to obtain a business license and certificate of occupancy prior to operating any business.



2. Obtain permits from the Health Department and Water Pollution Control prior to applying for a building permit.
3. All primary entrances and required exit doors shall be accessible to people with disabilities as per 2001 CBC, Sec. 1114.B.1.3.
4. Food preparation areas shall be accessible to people with physical disabilities as per 2001-CBC Sec. 1104B.5.8.
5. Sanitary facilities shall be fully accessible to people with disabilities as per 2001CBC, Section 1115B. Separate facilities shall be provided for each sex when the number of employees exceeds four.
6. Provide maneuvering clearances at doors as per 2001 CBC, Sec. 1133B.2.4.2.
7. Counters provided for the public and in the general employee area must be at least 5% accessible, but not less than one counter with a minimum length of 36 in. per 2001 CBC, Sec. 1122B.

ENGINEERING DIVISION [For further information regarding the following notes please contact Robert Wang at (408) 586-3327]:

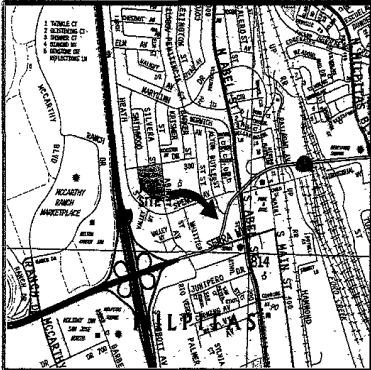
1. It is the responsibility of the developer to obtain any necessary encroachment permits from affected agencies and private parties. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division.
2. If necessary, the developer shall obtain required industrial wastewater discharge approvals from San Jose/Santa Clara Water Pollution Control Plant (WPCP) by calling WPCP at (408) 942-3233.
3. If the existing services (water, sewer and storm) are not adequately sized to serve this additional development, plans showing new services must be submitted and approved prior to building permit issuance.
4. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, plan check and inspection deposit.
5. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities.
6. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329.

FIRE DEPARTMENT [For further information regarding the following notes please contact Jaime Garcia at (408) 586-3369].

1. The 2001 triennial edition of the California Code of Regulations, Title 24 (California Building Standards Code) applies to all occupancies that apply for a building permit on or after November 1, 2002, and remains in effect until the effective date of the 2004 triennial edition.
2. Submitted drawings are not reviewed nor approved for fire permits and construction. These notes are provided to assist with the Fire Department permit process.



3. Fire safety during construction, alteration or demolition of the building shall meet the requirements of Article 87, CFC (California Fire Code).
4. Portable fire extinguishers shall be installed in occupancies and locations as set forth in the code, California Code of Regulations Title 19, Division 1, and Chapters 1 and 3 and as required by the Milpitas Fire Chief. Section 1002.1, CFC.
5. Alterations to the automatic fire sprinkler system and/or the fire detection system requires drawings to be submitted to the Fire Department for review and approval prior to alteration. Section 1001.3, CFC.
7. Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort. Manual operated edge- or surface-mounted flush bolts and surface bolts are prohibited. Section 1207.3, CFC.
8. Required means of egress shall be provided with a continuous, unobstructed and undiminished path of exit travel from any occupied point in a building to a public way. Section 1001.1, CFC.
9. Obstructions, including storage, shall not be placed in the required width of a means of egress, except projections as allowed by the Building Code. Means of egress shall not be obstructed in any manner and shall remain free of any material or matter where its presence would obstruct or render the means of egress hazardous. Section 1203, CFC.
10. For new trash enclosures: combustible rubbish kept or accumulated within or adjacent to a building shall be stored in approved containers or in rooms or vaults constructed of noncombustible materials. Section 1103.2.1.2, CFC.
11. For new trash enclosures: dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or places within 5 feet of combustible walls, openings or combustible roof eave lines unless area is protected by an approved automatic sprinkler system. Section 1103.2.2, CFC.
12. A ventilating hood and duct fire extinguishing system shall be provided in accordance with the Mechanical Code for commercial-type food heat-processing equipment that produces grease-laden vapors. Section 1005, CFC.
13. A fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat-processing equipment, as measured along an unobstructed path of travel, in accordance with California Code of Regulations, Title 19, Division 1, Chapter 3.
19. Shop drawings shall be submitted for the hood and duct fire suppression system (by a licensed installer) to the Fire Department for review and approval prior to start of installation. Section 1001.3, CFC.
20. No approval for any hazardous materials under this review.
21. Complete plans and specifications for all aspects of Fire-Protection systems shall be submitted to the Fire Department for review and approval prior to system installation/alteration. Sections 901.2.2 and 1001.3, CFC.



VICINITY MAP

NOT TO SCALE

PROJECT DATA

SCOPE OF WORK: TENANT IMPROVEMENT RETAIL MARKET AND KITCHEN AREA.

PROPOSED USE: RETAIL MARKET

UBC OCCUPANCY GROUP: M

UBC CONSTRUCTION TYPE: TYPE V "SPRINKLED"

CODES: 2000 CBC, CMC & CPC, 2000 CEC & 98 CA AMENDMENTS FOR ENERGY & HANDICAP

STORIES: ONE STORY

EXISTING USE: BEAUTY SALON

SQUARE FOOTAGE

MANILA ORIENTAL FOODS 1,380 SQ. FT.

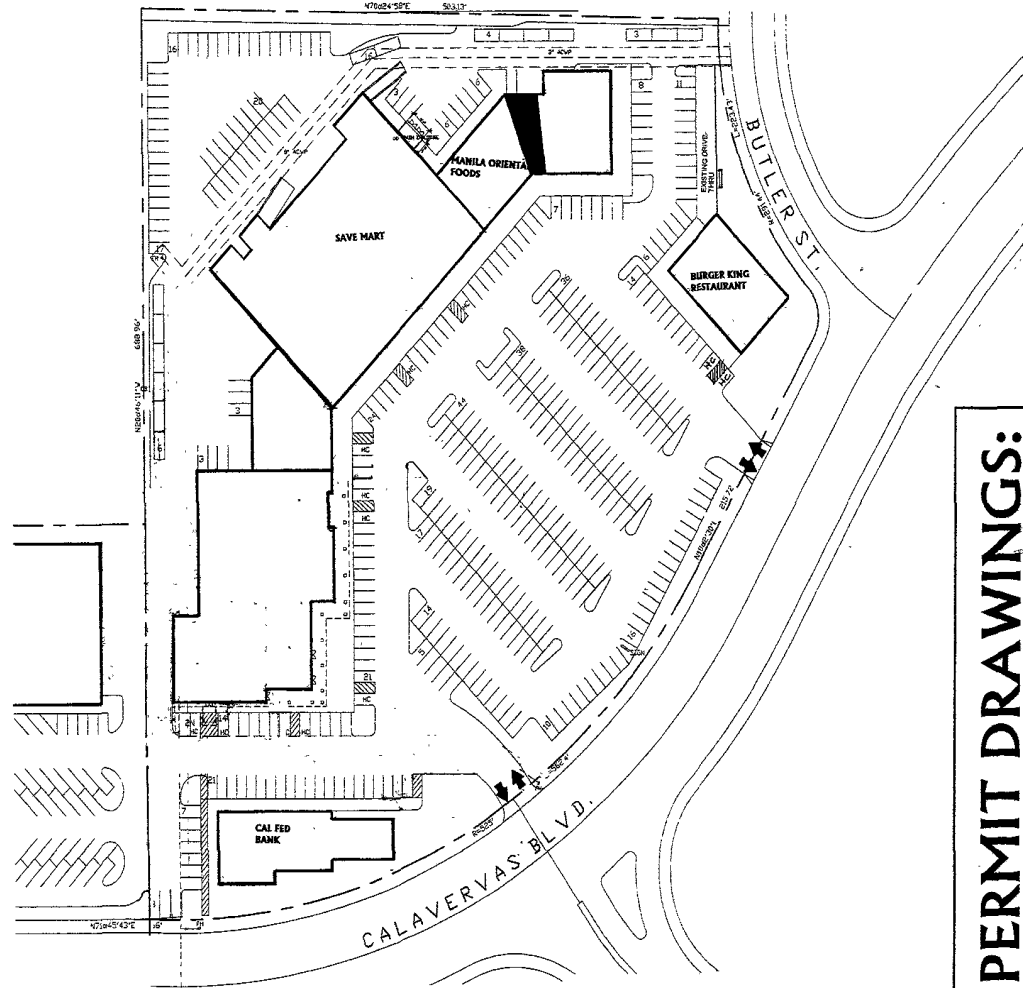
SHEET INDEX

AR-1 COVER SHEET, VICINITY MAP AND PROJECT SITE PLAN

AR-2 PRELIMINARY FLOOR PLAN

PROPOSED NEW TENANT IMPROVEMENTS FOR: MS. LUCITA U. FINULIAR MANILA ORIENTAL FOODS 179 A WEST CALAVERAS BLVD. MILPITAS, CALIFORNIA 95035

#1



PRELIMINARY SITE PLAN

SCALE 1" = 50'-0"

USE PERMIT DRAWINGS:

NOR-CAL
RESTAURANT
DESIGN

THE EXPERTS IN RESTAURANT
DESIGN & PLANNING, OVER 25
YEARS IN THE BUSINESS
NORMAN J. HITCHCOCK
PROJECT DESIGNER
14 CAMEBACK COURT
PLEASANT HILL, CALIFORNIA 94523
PHONE NO. (925) 681-3063
FAX NO. (925) 681-3036

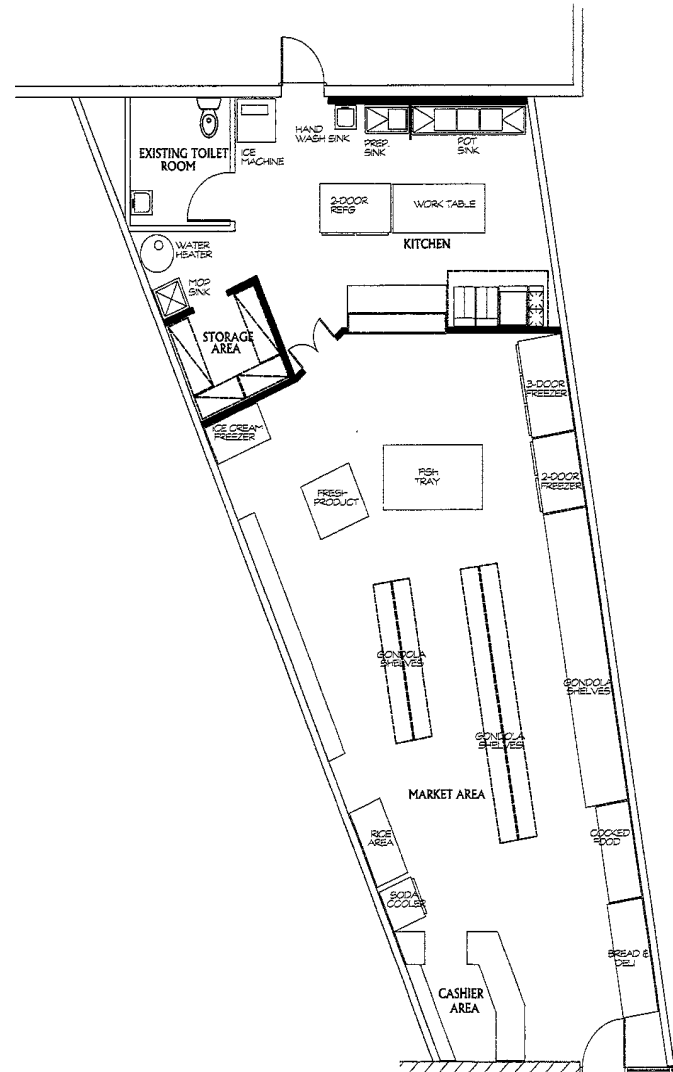
PROPOSED NEW TENANT IMPROVEMENTS FOR:
MS. LUCITA U. FINULIAR
**MANILA ORIENTAL
FOODS**
179 A WEST CALAVERAS BLVD.
MILPITAS, CALIFORNIA 95035

NORRIS M.
N.J.M.
APRIL 2003
AS SHOWN
2003-04

AR-1
SHEET 1 OF 7

NOR-CAL RESTAURANT DESIGN

THE NORRIS IN RESTAURANT
DESIGN & PLANNING, OVER 20
YEARS IN THE BUSINESS!
NORRIS J. MITCHELL
PROJECT DESIGNER
14 CAMELBACK COURT
PLEASANT HILL, CALIFORNIA 94633
PHONE NO. (925) 681-3863
FAX NO. (925) 681-3025



PRELIMINARY FLOOR PLAN

SCALE 1/4" = 1'-0"

PROPOSED NEW TENANT IMPROVEMENTS FOR:
MS. LUCITA U. FINILAR
**MANILA ORIENTAL
FOODS**
179 A WEST CALAVERAS BLVD.
MILPITAS, CALIFORNIA 95035

NORRIS J.
N. J. M.
APRIL 2008
AS SHOWN
2008-04

AR-2
SHEET 1 OF 2

APRIL 14, 2003

CITY OF MILPITAS
EAST CALAVERAS BLVD.
MILPITAS CA 95035

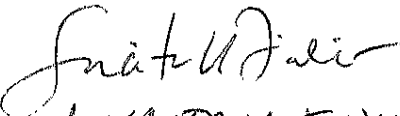
TO WHOM IT MAY CONCERN :

MY NAME IS LUCITA U. FINULIAR, I INTEND
TO INFORM YOU THAT I AM OPENING A GROCERY
STORE LOCATED AT 179 A W. CALAVERAS BLVD,
MILPITAS CA.

I WILL BE SELLING ASIAN FOODS, LIKE
VEGETABLES, FRUITS FRESH FROZEN SEAFOODS
AND COOKED FOOD TO GO.

OUR NORMAL BUSINESS HOURS ARE FROM
8:30 AM TO 8:00 P.M. MONDAY THRU SUNDAY.

THANK YOU SO MUCH IN ADVANCE FOR
YOUR PROMPT ATTENTION AND CONSIDERATION.

SINCERELY

LUCITA U. FINULIAR

City of Milpitas

Planning Division

455 E. Calaveras Blvd., Milpitas CA 95035

(408) 942-5185

RESOLUTION NO. 168

A RESOLUTION REGARDING STANDARD CONDITIONS FOR COMMERCIAL DEVELOPMENT

WHEREAS, THE CITY PLANNING COMMISSION regards the site appearance of commercial development as being important to community pride,

WHEREAS, CERTAIN "STANDARD" CONDITIONS having consistently been required by the Planning Commission for commercial developments,

WHEREAS, THE CITY PLANNING COMMISSION wishes to aid developers in the preparation of the Site Plans for commercial developments, and to aid the Commission and staff in reducing the number of special conditions,

THEREFORE, BE IT RESOLVED, that the City Planning Commission shall require the following items to be noted on all plans submitted with building permit applications for all commercial developments:

1. Prior to issuance of a building permit, a landscape plan shall be submitted to and approved by the Planning Commission. Said plan shall indicate location and type of trees (deciduous or evergreen), shrubs and ground cover, including sizes and quantities. The applicant is encouraged to utilize mature trees at key areas or focal points on the site to compliment the existing or proposed on-site structures. The landscape plan shall comply with City Council Ordinance No. 238 (An ordinance of the City of Milpitas regulating efficient water use for new or rehabilitated landscapes and existing landscapes).
2. All planter areas shall be serviced by a sprinkler head or drip system.
3. All required landscaping shall be replaced and continuously maintained as necessary to provide a permanent, attractive and effective appearance.
4. Prior to issuance of an occupancy permit on this site, the required landscaping shall be planted and in place.
5. All landscaped planters adjacent to vehicle parking areas or travel lanes shall be contained by a full depth (6" above AC to bottom of structural section of adjacent paving) concrete curb. Where landscape planters abut a public street, a 24-inch deep water barrier shall be installed behind the curb. Plans indicating the curb elevations along public streets shall be approved by the City Engineer prior to construction.
6. All driveway approaches installed in the public right of way shall conform to Public Works Department standards.
7. Any public improvements on the frontage of the subject property that are now or that become damaged during construction shall be restored to the satisfaction of the City Engineer.

8. All on-site public and employee parking, accessways, driveways, loading or similar areas intended for public use shall be paved in accordance with MMC, Title II, Chapter 13, Section 18 as required for commercial developments.
9. All roof-top equipment shall be shielded from view in a manner to the approval of the Planning Commission or its designee as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code. Prior to the issuance of any permit for any roof-top equipment which projects above the height of any existing parapet wall or screen, detailed architectural plans for the screening of this equipment and/or a line-of-sight view analysis demonstrating that the equipment will not be visible from surrounding view points shall be reviewed and approved as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code, in order to assure the screening of said equipment is in keeping with and in the interest of good architectural design principles.
10. In the event that a fill of over 18 inches above the natural grade is required at the rear or side property line, a grading plan shall be reviewed and approved by the Planning Commission prior to the issuance of a grading permit.
11. On-site utility transformers, boxes, etc. located at the front of the site shall be placed underground (subsurface vaults) or be located at the rear of the property and screened from public view in a manner to the approval of the Planning Commission. For new or relocated transformers or utility boxes on existing developed sites, refer to Section XI-10-42.10-2 of the Milpitas Municipal Code.
12. The applicant shall make changes as noted on Engineering Services Exhibit "S" and return one revised set of exhibit "S" and five sets of civil engineering drawings showing all proposed utilities to the Land Development Engineer for plan check.
13. Sidewalks in street rights-of-way shall be in accordance with Standard Drawing No. 426, and shall include 4'x4' tree wells with irrigation bubbler heads connected to the City's water system. The specific tree type and interval shall be determined by the Engineering Division. Trees shall be planted in accordance with Standard Drawing No. 448 (15 gallon minimum size).
14. Whenever on-site drainage is directed to the street right-of-way, either a connection to an underground system or through curb drains shall be installed. A plan of the system, as it affects the street right-of-way, shall be approved by the City Engineer prior to construction.
15. Any work within the City's right of way requires an encroachment permit from the Engineering Division of the Public Works Department.
16. All survey monumentations shall be protected in place. Any disturbed or covered monument shall be reset by a registered civil engineer or land surveyor at the direction of the City Engineer.
17. Site distance areas as indicated on the City standard drawing shall not be obstructed. Overall cumulative height of the grading, landscaping and signs within the sight distance area shall not exceed 2 feet.